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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DWIGHT BENSON,

9 Plaintiff,

10 v.

11 PIERCE COUNTY JAIL, et al.,

12 Defendants.

Case No. C08-5407BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 5). The Court having considered the Report and Recommendation, Plaintiff's failure to file objections, and the remaining record, does hereby find and order:

- (1) The Court adopts the Report and Recommendation; and
- (2) This action is **DISMISSED** because Plaintiff has failed to either pay the \$350 filing fee or file a proper application to proceed in forma pauperis.

DATED this 14th day of October, 2008.



BENJAMIN H. SETTLE
United States District Judge

ORDER